IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE KURIAN JOSEPH
&
THE HONOURABLE MR. JUSTICE HARUN-UL-RASHID

THURSDAY, THE 25TH OCTOBER 2007 / 3RD KARTHIKA 1929

WP(C).No. 31726 of 2007(S)

MC.237/2007 of FAMILY COURT,TRIVANDRUM
.....

PETITIONER:

SURESH.G
EANCHAYIL PUTHEN VEEDU
KANAL PURAMABOKE
PANTHUKULAM
VARKALA

BY ADV. SRI.M.R.RAJESH
SMT.A.K.PREETHA

RESPONDENT:

BEENA (MINOR)
EANCHAYIL PUTHEN VEEDU
PANTHUKULAM
VARKALA PINCODE-695 141

MINOR AGED 7 YEARS
REPRESENTED BY HER MOTHER S.SINDHU
EANCHAYIL PUTHEN VEEDU
PANTHUKULAM, VARKALA

BY

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 25/10/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

KURIAN JOSEPH & HARUN-UL-RASHID, JJ.

W.P.(C) No.31726 of 2007

Dated this the 25th day of October 2007

JUDGMENT

Kurian Joseph,J

Petitioner is aggrieved by Ext.P3 order passed by Family Court Thiruvananthapuram, directing the payment of interim maintenance. Ext.P5 is still pending before the said court. It is prayed that there may be a direction to the Family Court to pass appropriate orders on Ext.P5 and defer the payment as per Ext.P3 till such time. The learned counsel for the petitioner also submit that until the paternity is decided, it will be hard and harsh for the petitioner to pay any maintenance to the respondent, particularly, in view of the admitted allegation that there is no marital status between the parties. We do not think it is proper for this Court at this stage to go into all these allegations. We do not also think it necessary to issue notice to the respondent at this stage for disposal of this writ petition. The interests of the parties and the interests of justice would be served, if a direction is issued to the Family court to pass appropriate orders in accordance with law on Ext.P5 expeditiously. Accordingly we dispose of the writ petition directing the Family court Thiruvananthapuram to dispose of Ext.P5 in accordance with law within a period of two months from the date of production of a copy of this

judgment. Petitioner will furnish a copy of this judgment and writ petition before the Family court and to the respondent . In the nature of the order as passed above, we make it clear that we have not considered the writ petition on merits and the entire contentions are left open.

KURIAN JOSEPH, JUDGE

HARUN-UL-RASHID, JUDGE

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